

# Notice of Allowability

Application No.

10/810,781

Examiner

Rodney H. Bonck

Applicant(s)

HOU, YANMING

Art Unit

3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received January 17, 2006.
2. ☒ The allowed claim(s) is/are 2-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

The following action is in response to the amendment received January 17, 2006.

***Allowable Subject Matter***

Claims 2-20 are allowed.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious, in the recited system, the claimed method of engaging the clutch as defined in claim 2, and in particular, the step of sensing rotational speeds representative of the speed of the power source and of the output, respectively, as the control signal value is increased from the starting value and comparing the sensed rotational speeds representative of the speed of the power source with the initial rotational speed of the power source , and storing information representative of the control signal value in the memory for use in step (a) for a subsequent engagement of the clutch, when a first of the following conditions occurs: (i) the sensed speed representative of the speed of the power source is more than a predetermined amount less than the initial rotational speed, and (ii) the PTO output begins to rotate.

The art of record also fails to show or teach the system as defined in claim 9, especially including a controller as defined in the claim and wherein after the clutch has been previously engaged at least once, the processor will determine a value for a

starting control signal for controlling a starting clutch engagement pressure based at least in part on information representative of a previous condition of the clutch stored in the memory.

The prior art of record fails to show or teach, in the recited system, the claimed method of operation of the clutch as defined in claim 14, in particular, the step of sensing rotational speeds representative of the speed of the power source and of the output as the clutch engagement pressure is increased from the starting value, and storing in the memory information representative of the occurrence of a first of the following conditions: (i) sensing a speed representative of the speed of the power source which is more than a predetermined amount less than the initial speed, and (ii) sensing rotation of the PTO output.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Amendment***

The amendment to the claims filed January 17, 2006 overcomes the previous rejection of claims 9-13 under 35 USC 112, second paragraph. Accordingly, the rejection is withdrawn.

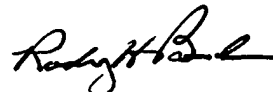
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Applicant's arguments, set forth in line 10 of page 8 to line 28 of page 11 of the response filed January 17, 2006, are persuasive; and the previous rejection under 35 USC 103(a) is withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

rhb  
February 21, 2006